Liberty

NOT THE DAUGHTER BUT THE MOTHER OF ORDER — PROUDHON

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"For always in thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though thou slay us, we will trust in thee."
JOHN HAY.

On Picket Duty.

I call attention to Gertrude B. Kelly's well-directed criticism of E. C. Walker in another column. I have followed Mr. Walker and his writings for several years with the greatest care, interest, and admiration, and this remark on Malthusianism which Miss Kelly quotes from him is the first really foolish thing I ever knew him to say.

Liberty's valued contributor, Gertrude B. Kelly, made her *début* as an Anarchistic lecturer in New Era Hall, Boston, on Sunday, March 28, delivering a remarkable discourse on "Anarchism and Expediency." Some idea of the position she took is incidentally given in another column in the controversy to which it has given rise between Mr. Appleton and myself. After the lecture she stood a running fire of questions, meeting them all with a calmness and coolness that were unsurpassable and a readiness and keenness that were marvellous. On the next Sunday she lectured in New Haven, and scored, I am informed, an even greater success than in Boston. Of this Liberty may give some further report later.

In concluding a feeble effort at reply to a Galveston "News" criticism of the "Truth Seeker" in its recent struggle with Anarchism, the editor of the "Truth Seeker" remarks: "There is a scholarly courtesy in the criticisms of the Galveston 'News' becoming to a great journal, which we miss in the editorials of the smaller Liberty. Whether or no it would not give force and dignity to their utterances to copy the style of Mr. J. L. Walker of Galveston is a question we leave to the judgment of Messrs. Tucker and Appleton." If there is one thing more than another that Anarchists believe in, it is the principle of contract. Now I have a contract to propose to the editor of the "Truth Seeker." If, in all future discussions between the "Truth Seeker" and Liberty, he will show one half the brains and one tenth the honesty of J. L. Walker, I will show twice his courtesy. Is it a bargain?

The latest piece of governmental infernalism is the proposition to raise the "age of consent" to eighteen years. It sounds quite harmless, and belongs to that class of measures which especially allure stiff-necked moralists, pious prudes, "respectable" radicals, and all the other divisions of the "unco guid." But what does it mean? It means that, if a girl of seventeen, of mature and sane mind, whom even the law recognizes as a fit person to be married and the mother of a family, shall love a man and win his love in return, and if this mutual love, by the voluntary and deliberate act of both parties, shall find sexual expression outside of the "forms of law" made and provided by our stupid legislatures, the man may be found guilty of committing rape and sent to prison for twenty years. Such is the real nature of this proposition, whatever attempts may be made to conceal it beneath the garments of sentimentalism and moralism. It is an outrage on manhood, and on womanhood not only an outrage, but an insult. And yet it is put forward in the interest of young girls' honor. Honor, forsooth! As if it were possible to more basely dishonor a woman already several years past the age at which nature provided her with the power of motherhood than by telling her that she hasn't brains enough to decide whether and in what way she will become a mother!

"Der Arme Teufel" Speaks.

The following article by Robert Reitzel, a man of unimpeachable character and editor of "Der Arme Teufel,"—a German weekly published at Detroit, and one of the best in the country,—will serve, I think, together with the manly and beautiful letter from Justus H. Schwab which it embodies, to convince such as needed confirmation of my own words that the charges recently proferred in these columns against the Most party, or members thereof, were no wanton lies, but fearful veracities. It is translated from "Der Arme Teufel" of April 10.

Serious charges have of late been raised against the Most faction of the Social-Revolutionary party.

At first only the rumor was afloat that particular members of the party, for their personal enrichment, had instituted a deliberate system of crime in New York; then came the story of the schism between Justus Schwab and Most; and finally appeared in Liberty,—an Anarchistic journal published by B. Tucker in Boston,—a set charge against Most and his *confrères*. Tucker asserts that since 1884 different houses have been set on fire by members of the group, after having first been insured, and that in several cases grown people and children have been burned. On account of these crimes, as well as on account of the robbery and murder of an old woman in Jersey City, several of these bandits are said to be in custody. In a word, murder, robbery, and perjury are said to be the weapons of these Anarchists, who had openly declared that at all events they were bound to die on the gallows.

Naturally these charges are published by the capitalistic press with great gusto and satisfaction. But since the matter as yet only rests on assertions, and Most has assured us in the last "Freiheit" that he will clear up the whole matter in the next number, I feel constrained to withhold judgment on the case till the other side has been heard.

That, on the part of the Most clique, crime, as such, has been glorified is unfortunately true, and I can well understand the feelings of my friend Justus Schwab, whom I hold to be a square and honest man, when he feels himself constrained, after all he has sacrificed for "Freiheit," to openly secede from Most and his fraternity. I hereby subjoin Schwab's letter, which, though it does not go into the facts, nevertheless leaves no doubt as to the writer's sentiments.

My dear Robert:

Before these lines reach you, you have probably been enlightened through Liberty as to how I stand with Most. As for myself, I have so far amended the Jesuitical maxim: "The end justifies the means," as to say that the means must not desecrate the end.

I regard myself as a member of the International Working-People's Association,—first, because I stand upon its ground principles, and, secondly, because, as far as my conception of integrity sanctions, I fulfil my duties to the same.

I am no party man, in the narrow sense of that term. May I also be preserved in the exercise of an independent judgment over all deeds that come to my view! I hate orthodoxy in every form. Behind the scenes there are people from whom I am minded to turn away, on account of their peculiarities. However deeply I may be involved in the whirl and confusion of citizen life, I have not yet lost my conceptions of love, nobility, and decency. So be it well, if former "friends" choose to attack me: I can bear it, in the consciousness of never having proved recreant to the highest good and welfare of society.

Vive l'Humanité.

With hearty greeting, thy

JUSTUS H. SCHWAB.

P. S.—I rejoice in the prospect of being able to salute you in person this summer. I have a few lordly drops of wine imported by myself, and some Frankfort cider.

POSTSCRIPT OF "DER ARME TEUFEL."—That these deeds have been committed admits of no doubt; the record of them has escaped the knowledge of the police. The matter of concern now is, whether these rascally deeds are chargeable to the party; for, if so, the concern must be, in the eyes of every honest man, an organization of gallows-birds, who the sooner they reach their destination the better. But if, on the other hand, the party has nothing to do with them, and they are only the brutal deeds of some men who use the name of the party to disgrace it, then is it the duty of the leaders—Most above all men—to emphatically repudiate them. Most will probably by this time have realized what it signifies to appeal to the baser passions of men. In his pamphlet, "The Property Beast," he says: "Seize upon private property,—kill the innocent, if necessary,—but seize upon it at all hazards!" Of the spirits whom he summoned, many a one is already past reclaiming.

The Firebugs' Defence.

To the Editor of Liberty:

I suppose you have seen Most's answer. It seems to me very much like the defence in the famous kettle case: 1, Such actions were never committed; 2, They were committed, but not by our people; 3, It may have been our people, but not with my approval. But, seriously speaking, can anything be more absurd than Most's claim that these acts were private affairs, and did not concern him? Assassination and robbery private affairs! And when Anarchy comes? Of course any act committed in the name of a party or a cause is not private, but is a fit subject for discussion. So of two things one,—either these men acted in the name of the party, and then it is our right and our duty to consider what they have done, and, if we find them to have acted wrongfully or injuriously to our cause, to disavow and condemn them; or they acted to advance their own private interests, and then they are but common criminals,—worse than common criminals, as they profess to be soldiers of Liberty, and we who seek to establish the reign of Justice can have no solidarity with them.

Yours truly,

JOHN F. KELLY.

HOBOKEN, NEW JERSEY, APRIL 9, 1886.

Malthusianism.

It is with the greatest surprise that I see in "Lucifer," of March 26, E. C. Walker, whom we have long been in the habit of regarding as a first-rate Anarchist, one who had probed to the bottom the cause of the present unjust distribution of wealth, propose Malthusianism as a measure in any way calculated to relieve the distress of the laboring masses. Can Mr. Walker really be so ignorant of the "iron law of wages" that he does not see that the reduction in the number of the members of a family, the very moment it becomes general, can have no other result than a reduction of wages? Small families under present conditions are of advantage to men only as long as they are confined to a few.

Mr. Walker says that, "when the laboring masses shall for two generations have had the practical sense to limit their offspring to two to each family, the great robberies of which our reformers complain will no longer be possible." I think that the verdict of history is against Mr. Walker. France has had small families for now nearly three generations, and the working-people are there no better off, no nearer to a solution of the social problem, than they are in any country in which large families prevail. The strikes at Lyons, Montceau-les-Mines, Decazeville, the statistics of wages and of the mode of living of French working-men and women, published not long since by M. d'Haussonville and Mme. de Baran in "Revue des Deux Mondes," the fact that 336,000 houses in the agricultural districts of France have no other opening than the door, while 1,817,535 have only a *single* window, do not speak very much in favor of small families as a remedy for the social disease. The only effect decrease in the size of families could have under present conditions would be to increase the proportion of the products of the laborer absorbed by the capitalist. It is only when a man is guaranteed the full product of his labor that thrift, a small family, etc., are matters of concern to him. Why, even John Stuart Mill admitted that the large families of the Irish were the result, not the cause, of their poverty; for there was no incentive to have fewer children, as misery was their lot in any case.

It must not be argued from this that we are opposed to small families, but what we do maintain is that small families are of no advantage to the people until after the industrial revolution is accomplished; and, when that is accomplished, the small families will come as a natural consequence. Emancipated woman will no longer consent to be a mere reproductive machine.

GERTRUDE B. KELLY.

IRELAND!

By GEORGES SAUTON.

Translated from the French for Liberty by Sarah E. Holmes.

Continued from No. 78.

Today, the patient was sitting up, convalescent, but trembling, feeble, feeble, his wounds barely closed; hence, as the young girl had just begged it of them, they felt the necessity of restraining themselves.

So quiet was established, and every one pretended to be quite indifferent to the bill-posting by the soldiers, who had first thought of the church for that purpose. Under the porch seemed to be the proper place for the placard, but the cemetery preceded it, and so the bill-posters preferred a less retired spot, especially as they knew that to the United Irishmen the priest virtually closed the house of God.

Nevertheless, in spite of themselves, in spite of their appearance of absolute indifference, the poor Bunclodyans betrayed the secret which they imagined shut up in the profoundest arcana of their discretion, as in a tomb heavily sealed.

At intervals, regularly, their looks converged on Arklow's hut, and, quickly as they were withdrawn, Tom Lichfield surprised them, and instantly suspected that here was the retreat of the agitator.

From Gowan, who had become furious as soon as he had sobered off, and who had run to the gibbet to take away his prisoner, the spy had learned the story of his discomfiture, and he did not doubt that the "bird"—to use the word of his choice—had not flown far, but had lodged somewhere in the vicinity; using his business as a pretext, he tried to thrust himself into the houses.

They had not resisted him everywhere; but Arklow's door, relentlessly closed, had awakened his mistrust; now, he did not doubt that his man was there.

What confirmed him still more in his opinion was the fright of everyone when the soldiers, charged with the posting of the everlasting placard, stopped before the threshold of the old sailor.

Suddenly, a deadly silence reigned, in which nothing was heard except the measured and rhythmical tread of the squads marching hither and thither in the vicinity.

And no one breathed till after the departure of the bill-posters. Tom Lichfield, applying his fore-finger to the rubicund side of his hollow nose, reflected on the way he would adopt to get his twenty-five thousand pounds.

But his preoccupation, his absorption, put a flea in the ears of the Bunclodyans, especially Paddy's.

Though Lichfield glanced more discreetly than the others at Arklow's door, his pupils sparkled with such an intense fire that they excited attention. Then he talked to himself, debated with himself, approved himself, criticised himself, now rubbing his hands contentedly, now snapping his fingers in spite.

"Business is not good, then?" asked Paddy Neill, suddenly; "or are you considering the plan of an operation which presents difficulties?"

Tom Lichfield looked at him. Was he expressing himself frankly, or was he setting him at defiance? With his devil of a face, it was impossible to be sure. And the other comrades who had drawn near with the mutilated man, and surrounded the merchant, were not frowning.

Nevertheless, he was not long in comprehending that the bantering Irishman looked upon him suspiciously.

As Lichfield, in the centre of this bulwark of men, which cut off his view of the precious hut, threw stealthy and anxious glances in that direction, Paddy interrogated him squarely.

"You have, then, no spectacles?"

"Pardon me! all sorts and excellent ones," responded he, mechanically, but instinctively disturbed about the motive of this odd question.

"In that case, why don't you put some on?" said Paddy. "You seem to be looking for something that escapes you."

This straight thrust excited in Lichfield a fit of coughing, but he would not be put out of countenance by such a small matter, and answered:

"Certainly, I am looking for customers. I have hardly made a sale for a week."

"And you will not make more, though you should stay here for years. I know but one article which they would willingly buy of you, and you will hold on to that for sure!"

"Tobacco, pipes, good Birmingham knives?"

"No, no," denied Paddy, at each object enumerated.

"Religious books?" continued the merchant.

"Pounds sterling at a shilling each."

"Oh! you joker!" exclaimed Tom, giving the flayed man a dig in the stomach.

And laughing with everybody, and putting on a jovial expression, he repeated his words.

"You joker! you joker!" said he; but he could think of nothing more to say, and his mouth was entirely dry.

Pierced deeply to the heart, knowing that he was seen through, the desire seized him to hasten the *dénouement*, to cry out to the little sergeant: "Bagenel Harvey is there in that wretched hut!" But what would happen?

Instantly, the Irishmen would rush upon him, and at once strangle him like a dog; they would send him to kingdom come at the first word, at the first syllable. Dead, rotting under the grass in the cemetery,—that would be a fine way of earning the reward! They would pay it to Madame Lichfield, and, consoled, she, with little delay, would marry William Grobb, the clerk, for whom, yellow and dried-up, she had a fancy. He swallowed again his wish. Moreover, John Autrun gave the order: "Support arms, forward march!" and the Britons, executing an about-face, left the place, going back toward the camp.

Quite alone now in the bosom of the alert enemy, his problem was no longer how to precipitate events, but to get away without injury; a cold sweat moistened his skin, lifting his heart-breaker from his temple, and weakening his legs; he compared them to the cotton stockings which he sold over his counter, which three washes reduced to rags; his whole body seemed to him to be melting away, and he had the horrible sensation of becoming a soul floating without muscles, without bones, without flesh, in the wrappings of his clothing, which the first comer, at his pleasure, might do up in his handkerchief.

Ashamed of this unworthy weakness, and anxious that the trader should rise superior to the man, he lashed himself unsparingly. His cowardice he called by the worst name he could conceive; he made it equivalent to bankruptcy. They would judge him at Glasgow not as a victim of circumstances, of fatality, of forces superior to human energy; they would treat his memory with disdain; they would cite him as an incompetent merchant, incapable of guiding his bark, foundered miserably on the rocks, the danger of which they would purposely and dishonestly underrate.

And this when he had dreamed of having, on his return from his expedition, the unanimous esteem of his fellow-townsmen, and, rich and fawned upon, of finding the reward of his good fortune, of his intelligence, of his courage, of his talents, in honors, flattering distinctions, high places among his associates, and, perhaps—why not?—the supreme magistracy of his city, the patent of nobility conferred by the sovereign in reward for his distinguished and important services.

Baronet, baron of Bunclody! What prestige, what pleasures, what prerogatives would result from this elevation! And all this flattering prospect to vanish in death, under the blows of mad-men! He nerved himself up, conquered his weakness, regained his tricky peddler's gift of gab, and proposed a glass of whiskey, of extra quality, such as King George did not drink at his gala dinners, and which he, Tom Lichfield, reserved for his personal use.

And, feigning secrecy, assuring himself, by careful survey, that the suspicious ears and eyes of the soldiers had disappeared, exhibiting his Philadelphian papers, his credentials from societies in sympathy with the miseries of the natives of the sister-island, he represented himself as hostile, even more so than themselves, to the tyrants. Ah! the vows that he framed for deliverance, for the extermination of the oppressors! Into the sea with all those who should not be destroyed! there must not a single one set foot again in England. Food for the fishes, all those who should escape massacre; any trap, any treachery, with regard to these monsters, would be justifiable in the sight of heaven.

But his insinuating eloquence, his perfidious violence, were all spent in vain; they sounded so false, and, besides, Arklow himself had enlightened Paddy in regard to the merchant.

To be continued.

THE WIFE OF NUMBER 4,237.

By SOPHIE KROPOTKINE.

Translated from the French for Liberty by Sarah E. Holmes.

Continued from No. 78.

A cousin of Jean—he had no other relatives—persuaded Julie to leave the village for the city, where she could find occupation. She learned the trade of winder, and was soon working by the side of her cousin.

The separation of the young people had been painful.

"You will not forget me during my absence?" said the young man. "You will wait for me? It is happily only a year; it will not be long. Be patient a little while. As soon as I return, we will be married; I will take care of you, my beauty; you will rest from all that you have suffered."

"Can you doubt it?" answered Julie. "Never, no, never, can anyone take your place in my heart."

"Take care, Julie. If you should love another, you know that I would be capable of anything: of killing you, you, and of putting an end to my own life."

"Why do you say that, Jean, dear? You do not know me. Go, since it must be, and return as quickly as possible. Your Julie will wait for you. But you, take care that, with your hot head, no misfortune comes to you: I could not survive you!" . . .

The young people passed the whole day together in this way, driving away the anxieties of the separation by dreams of happiness after the return.

The year was painful. A day of twelve hours in a little stifling work shop, under the superintendence of a bigoted old woman; the poverty that is inevitable on wages of forty sous a day; the revolting advances of the employer's son,—one must bear everything to avoid being put out on the street. But she had the sweet words of her mother and Jean's letters, which the atmosphere of the barracks had not been able to soil with its fetid breath.

At last, the year had passed. Jean had returned, and a life of peaceful happiness began for the three. Julie worked no more in the shop; Jean, who made a good living, demanded that she should rest a little and care for her mother. This lasted some months, a year of happiness.

All the little details of these months that had passed so happily, sprang up again in Julie's memory. They were so happy, and everything had been so brutally shattered.

She shuddered at the recollection of the evening when they came to tell her that her husband had been carried away to the police station: that, quarrelling with an overseer, he had almost killed him with a knife.

"Jean, Jean, why did you do this?" murmured Julie. "How happy we might have been without this!"

And immediately the image of her cousin rose before her, a child on her hands,—the child of this overseer, a rascal who had abandoned her after having seduced her,—and Julie hastened to say:

"No, no, forgive me for having dared to make you, even in my thought, this reproach. Alone in the world, without relatives, were you not bound to take her part?"

And she sees the court-room: an indifferent public, come to seek impressions and something to gossip about; her cousin, pale and trembling in a corner of the witness bench; her husband between two policemen. Before him, the judges, somnolent, fair-spoken, tranquil; an attorney-general, choleric, furious at having obtained only six years' confinement for a child-murderess of eighteen years, who had just been tried before the same court.

Her husband's voice, tranquil, assured, a little tired, still resounded in her ears. What could he say more? That he was his cousin's sole defender, that he had done what he ought to do? An advocate would have talked an hour; he confined himself to relating what this overseer was, what his cousin had suffered.

But the attorney-general made a long speech. He spoke of the immorality of the working-classes, he insisted on the need of reacting, of treating the turbulent rigorously; he dwelt especially on the resistance Jean had made at the moment of his arrest, and he begged the judges to give him five years' imprisonment.

Jean was condemned to three years in prison.

The old mother could not endure this sorrow: they carried her to the cemetery a fortnight after the sentence. The handsome fellow was shaved, dressed in ignoble garb, and sent to the central prison.

The moon was already descending towards the horizon. One moment more, and it would disappear behind the forests which covered the summit of the hills. The silent night enveloped the prison and the hamlet. A thick mist, heavy and cold, was condensing in the valley and covering it with a veil, effacing the sharp lines of the heavy buildings.

Julie did not feel it penetrate her clothes, her flesh, her bones: the fatigue of the journey, the emotions of the day, had had their effect. With her head bent forward on her arm, she slept, still leaning against the window open to the cold night breezes.

III.

At five o'clock Julie was up; at seven o'clock she was already ringing at the grated door of the prison.

"Has the director returned?" was her first question, as soon as the porter appeared behind the grating with his bunch of keys.

Yes, he had returned. But he would not be there before eight o'clock,—and the porter started to go back to his lodge.

Julie begged him to let her enter, to wait at the clerk's office. Dreading to lose a single minute, she wished to see the director as soon as he arrived. And she resumed her place on the bench, mute witness of so much suffering. All expectation, she was ready to spring up each time that she heard a door open.

Nine o'clock, ten o'clock. No director. They said that he had gone directly to the pretorium. Guards came and went, exchanged words in a slang peculiar to their calling, of which Julie could comprehend nothing. She still waited, each moment seeming an eternity.

She caught at last some words in the conversation of two guards; one of them came from the hospital, and she accosted him at once.

"Tell me, sir, what must I do to speak with the director? I have come to see my husband, but I have not yet obtained a permit."

"And who is your husband?"

"Jean Tissot: he was in the hospital yesterday."

"In which shop did he work?"

"In the correction quarter, in the shop where they make mother-of-pearl articles."

"Jean Tissot? correction quarter? number 4,237?"

"Yes, yes, that is the one."

"But why do you wish to be allowed to see him? He is to be buried in an hour Do you not know that he died yesterday?"

To be continued.

A LETTER TO GROVER CLEVELAND.

ON

His False, Absurd, Self-Contradictory, and Ridiculous Inaugural Address.

By LYSANDER SPOONER.

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Section XXIV.

John Marshall has the reputation of having been the greatest jurist the country has ever had. And he unquestionably would have been a great jurist, if the two fundamental propositions, on which all his legal, political, and constitutional ideas were based, had been true.

These propositions were, first, that government has all power; and, secondly, that the people have no rights.

These two propositions were, with him, cardinal principles, from which, I think, he never departed.

For these reasons he was the oracle of all the rapacious classes, in whose interest the government was administered. And from them he got all his fame.

I think his record does not furnish a single instance, in which he ever vindicated men's natural rights, in opposition to the arbitrary legislation of congress.

He was chief justice thirty-four years: from 1801 to 1835. In all that time, so far as I have known, he never declared a single act of congress unconstitutional; and probably never would have done so, if he had lived to this time.

And, so far as I know, he never declared a single State law unconstitutional, on account of its injustice, or its violation of men's natural rights; but only on account of its conflict with the constitution, laws, or treaties of the United States.

He was considered very profound on questions of "sovereignty." In fact, he never said much in regard to anything else. He held that, in this country, "sovereignty" was divided: that the national government was "sovereign" over certain things; and that the State governments were "sovereign" over all other things. He had apparently never heard of any natural, individual, human rights, that had never been delegated to either the general or State governments.

As a practical matter, he seemed to hold that the general government had "sovereignty" enough to destroy as many of the natural rights of the people as it should please to destroy; and that the State governments had "sovereignty" enough to destroy what should be left, if there should be any such. He evidently considered that, to the national government, had been delegated the part of the lion, with the right to devour as much of his prey as his appetite should crave; and that the State governments were jackals, with power to devour what the lion should leave.

In his efforts to establish the absolutism of our governments, he made himself an adept in the use of all those false definitions, and false assumptions, to which courts are driven, who hold that constitutions and statute books are supreme over all natural principles of justice, and over all the natural rights of mankind.

Here is his definition of law. He professes to have borrowed it from some one, —he does not say whom,—but he accepts it as his own.

> Law has been defined by a writer, whose definitions especially have been the theme of *almost* universal panegyric, *"To be a rule of civil conduct prescribed by the supreme power in a State."* In our system, the legislature of a State is the supreme power, in all cases where its action is not restrained by the constitution of the United States.—*Ogden vs. Saunders*, 12 *Wheaton* 347.

This definition is an utterly false one. It denies all the natural rights of the people; and is resorted to only by usurpers and tyrants, to justify their crimes.

The true definition of law is, that it is a fixed, immutable, natural principle; and not anything that man ever made, or can make, unmake, or alter. Thus we speak of the laws of matter, and the laws of mind; of the law of gravitation, the laws of light, heat, and electricity, the laws of chemistry, geology, botany; of physiological laws, of astronomical and atmospherical laws, etc., etc.

All these are natural laws, that man never made, nor can ever unmake, or alter.

The law of justice is just as supreme and universal in the moral world, as these others are in the mental or physical world; and is as unalterable as are these by any human power. And it is just as false and absurd to talk of anybody's having the power to abolish the law of justice, and set up their own will in its stead, as it would be to talk of their having the power to abolish the law of gravitation, or any of the other natural laws of the universe, and set up their own will in the place of them.

Yet Marshall holds that this natural law of justice is no law at all, in comparison with some "rule of civil conduct prescribed by [what he calls] the supreme power in a State."

And he gives this miserable definition, which he picked up somewhere—out of the legal filth in which he wallowed—as his sufficient authority for striking down all the natural obligation of men's contracts, and all men's natural rights to make their own contracts; and for upholding the State governments in prohibiting all such contracts as they, in their avarice and tyranny, may choose to prohibit. He does it too, directly in the face of that very constitution, which he professes to uphold, and which declares that "No State shall pass any law impairing the [natural] obligation of contracts."

By the same rule, or on the same definition of law, he would strike down any and all the other natural rights of mankind.

That such a definition of law should suit the purposes of men like Marshall, who believe that governments should have all power, and men no rights, accounts for the fact that, in this country, men have had no "*rights*"—but only such permits as lawmakers have seen fit to allow them—since the State and United States governments were established,—or at least for the last eighty years.

Marshall also said:

> The right [of government] to regulate contracts, to prescribe the rules by which they may be evidenced, *to prohibit such as may be deemed mischievous, is unquestionable*, and has been universally exercised.—*Ogden vs. Saunders*, 12 *Wheaton* 347.

He here asserts that "the supreme power in a State"—that is, the legislature of a State—has "the *right*" to "*deem* it *mischievous*" to allow men to exercise their natural right to make their own contracts! Contracts that have a natural obligation! And that, if a State legislature thinks it "mischievous" to allow men to make contracts that are naturally obligatory, "*its right to prohibit them is unquestionable*."

Is not this equivalent to saying that governments have all power, and the people no rights?

On the same principle, and under the same definition of law, the lawmakers of a State may, of course, hold it "mischievous" to allow men to exercise any of their other natural rights, as well as their right to make their own contracts; and may therefore prohibit the exercise of any, or all, of them.

And this is equivalent to saying that governments have all power, and the people no rights.

If a government can forbid the free exercise of a single one of men's natural rights, it may, for the same reason, forbid the exercise of any and all of them; and thus establish, practically and absolutely, Marshall's principle, that the government has all power, and the people no rights.

In the same case, of *Ogden vs. Saunders, Marshall's principle was agreed to by all the other justices, and all the lawyers!*

Thus Thompson, one of the justices, said:

> Would it not be within the legitimate powers of a State legislature to declare *prospectively* that no one should be made responsible, upon contracts entered into before arriving at the age of *twenty-five* years? This, I presume, cannot be doubted.—*p.* 300.

On the same principle, he might say that a State legislature may declare that no person, under fifty, or seventy, or a hundred, years of age, shall exercise his natural right of making any contract that is naturally obligatory.

In the same case, Trimble, another of the justices, said:

> If the positive [illegible]t is, the statute law] of the State declares the contract shall have no obligation, *it c*[illegible] *no obligation, whatever may be the principles of natural law in regard to such a c*[illegible] *This doctrine has been held and maintained by all States and nations. The power of controlling, modifying, and even taking away, all obligation from such contracts as, independently of positive enactions to the contrary, would have been obligatory, has been exercised by all independent sovereigns.*—*p.* 320.

Yes; and why has this power been exercised by "all States and nations," and "all independent sovereigns"? Solely because these governments have all—or at least so many of them as Trimble had in his mind—been despotic and tyrannical; and have claimed for themselves all power, and denied to the people all rights.

Thus it seems that Trimble, like all the rest of them, got his constitutional law, not from any natural principles of justice, not from men's natural rights, not from the constitution of the United States, nor even from any constitution affirming men's natural rights, but from "the doctrine [that] has been held and maintained by all [those] States and nations" and "all [those] independent sovereigns," who have usurped all power, and denied all the natural rights of mankind.

Marshall gives another of his false definitions, when, speaking for the whole court, in regard to the power of congress "to regulate commerce with foreign nations, and among the several States," he asserts the right of congress to an arbitrary, absolute dominion over all men's natural rights to carry on such commerce. Thus he says:

> What is this power? It is the power to regulate: *that is, to prescribe the rule by which commerce is to be governed. This power, like all others vested in congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations, other than are prescribed by the constitution.* These are expressed in plain terms, and do not affect the questions which arise in this case, or which have been discussed at the bar. If, as has always been understood, the sovereignty of congress, though limited to specific objects, is plenary as to those objects, the power over commerce with foreign nations, and among the several States, is vested in congress as absolutely as it would be in a single government, having in its constitution the same restrictions on the exercise of the power as are found in the constitution of the United States. *The wisdom and the discretion of congress, their identity with the people, and the influence which their constituents possess at elections, are, in this, as in many other instances, as that, for example, of declaring war, the sole restraints on which they* [the people] *have relied, to secure them from its abuse. They are the restraints on which the people must often rely* SOLELY, *in all representative governments.*—*Gibbons vs. Ogden*, 9 *Wheaton* 196.

This is a general declaration of absolutism over all "commerce with foreign nations and among the several States," with certain exceptions mentioned in the constitution; such as that "all duties, imposts, and excises shall be uniform throughout the United States," and "no tax or duty shall be laid on articles exported from any State," and "no preference shall be given, by any regulation of commerce or revenue, to the ports of one State over those of another; nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another."

According to this opinion of the court, congress has—subject to the exceptions referred to—absolute, irresponsible dominion over "all commerce with foreign nations, and among the several States"; and all men's natural rights to trade with each other, among the several States, and all over the world, are prostrate under the feet of a contemptible, detestable, and irresponsible cabal of lawmakers; and the people have no protection or redress for any tyranny or robbery that may be practised upon them, except "*the wisdom and the discretion of congress, their identity with the people, and the influence which their constituents possess at elections*"!

It will be noticed that the court say that "*all the other powers, vested in congress, are complete in themselves, and may be exercised to their utmost extent, and acknowledge no limitations, other than those prescribed by the constitution.*"

They say that among "all the other [practically unlimited] powers, vested in congress," is the power "of declaring war"; and, of course, of carrying on war; that congress has power to carry on war, for any reason, to any extent, and against any people, it pleases.

Thus they say, virtually, that *the natural rights of mankind* impose no *constitutional* restraints whatever upon congress, in the exercise of their lawmaking powers.

Is not this asserting that governments have all power, and the people no rights?

But what is to be particularly noticed, is the fact that Marshall gives to congress all this practically unlimited power over all "commerce with foreign nations, and

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Liberty.

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"A free man is one who enjoys the use of his reason and his faculties; who is neither blinded by passion, nor hindered or driven by oppression, nor deceived by erroneous opinions."—PROUDHON.

Time Will Tell.

To the fearful charges of crime made in the last issue of Liberty against the "Communistic Anarchists" of New York and vicinity John Most makes answer in "Freiheit." After exhausting his choice vocabulary of epithets upon myself and parties whom he supposes to be behind me, he says that the press have ignored the charges as foolish; that I could not know that such deeds have been done, because I live in Boston; that the two Bohemians referred to by me did not belong to the Bohemian group; that Schwab left the "Freiheit," not to separate himself from crime, but out of cowardice and fear of the police; that he (Most) was never informed that such crimes had been perpetrated; that, if he had been, he would have done nothing about it, because he never meddles with private matters that do not concern the party; and that he has not had criminals for lieutenants. I do not see why he did not add one more to this catalogue of lies by saying either that the crimes alleged by me were never committed, or that they were not committed by members of the organizations which I mentioned. Perhaps he was deterred from this by the memory that he has admitted in the presence of a dozen persons the perpetration of the crimes, and attempted to apologize for or excuse the guilty parties.

I do not propose to bandy words with John Most. It has never been my intention to try these charges, or prove them, in these columns. Sooner or later that will be done elsewhere. But I have nothing to retract. On the contrary, I reiterate all my charges, as emphatically as before, and declare that I kept far inside of the horrible truth. Those who know me know that I would not make such charges lightly. I came into possession of certain facts, and I used such of them as I chose in what seemed the wisest way. I have done what I could to save the lives and possessions of unoffending people and to save Anarchy from being smirched by association, even in name, with crime and criminals. The poor fools who choose to attribute my course to jealousy, envy, revenge, or any other petty motive whatsoever, may wag their tongues as they will; I wait for Time to do justice to the firebugs, to their friend, John Most, and to their enemy, myself. And I shall not wait in vain.

BENJ. R. TUCKER.

Anarchism and Expediency.

The late lecture of Dr. Gertrude B. Kelly in New Era Hall in this city was a phenomenal treat, such as has rarely gladdened those who were fortunate enough to hear her. Whether the subtlety of the young lady's intellect or her personal loveliness be the more captivating it would be difficult to say. That her effort was a magnificent one need not be repeated to any of her fascinated auditors.

But since no human judgment is final, and "truth's a gem that fears no light," I wish to register a few points touching her subject, "Anarchism and Expediency." I confess to being far looser in my notions on this topic than people organized so severely on the plumb-line principle as Miss Kelly and Brother Tucker; and, lest I should gradually drift into a laxity that might imperil my mental integrity and moral soundness, wish to set myself aright, or else be set aright.

Miss Kelly argued that the eight-hour movement was no final settlement of the labor question,—in fact, no settlement at all. She was right.

She further argued that the Knights of Labor were organized on essentially the same evil basis of force of which they complained in capital, and that their main drift was squarely against liberty. She was right.

Again she showed that coöperation organized upon a concession and utilization of the present prerogatives of capital is only an enlargement and popularization of the very curse that enslaves labor. She was right.

So the fair speaker went through a lengthy programme of social remedies now being put forth to heal social wrongs and make us industrially whole, and with masterly power avowed that they were all quack remedies. She was right.

Well, then, what? What's to be done? What is my business as an Anarchist? Miss Kelly and Brother Tucker say it is my business as an honest man to keep away from these movements and to discourage and denounce them with the keenest and most merciless weapons of argument and satire. *I* say it is my business as an anti-bigot and broad, rounded philanthropist to affiliate with them all they will let me—to speak upon their platforms—write for them—work for them—love them. If this be expediency, then make the most of it! I had rather err on a broad-gauge love of all who struggle for liberty than be a logical Pharisee.

Miss Kelly pays me the high compliment of having done more to open the eyes of her countrymen through my "Honorius" letters in the "Irish World" than any other man in this country. Yet all the time that I was writing those letters I was an Anarchist, and knew that there was no final settlement for Ireland's woes but to pitch popes, priests, and statesmen down the back stairs. Had I said so, Patrick Ford would have pitched *me* down the back stairs upon the first attempt at displaying the true remedy. But instead of this I "compromised," by quietly fishing out whatever I could find of Anarchistic method in the Irish movement, calling it by some other name than Anarchism, and by a dexterous handling of my readers gradually working the choice material among them up to a point where all they needed was simply the finishing label,—Anarchist. I point with pride to several staunch Irish supporters of Liberty whom I thus served up on the expediency plan. The loveliest, the brightest, and the most promising of them all is Gertrude B. Kelly. But for my expediency tactics she would not have been at New Era Hall on Sunday, March 28, to prove that the method that saved her for liberty is false, pernicious, and dishonest.

On that occasion Mr. McKenzie, with far-seeing sagacity, pointed out that there is a very strong nucleus of Anarchism in the methods of the Knights of Labor. There is indeed far more of the Anarchistic method in the Knights of Labor than was afforded "Honorius" as a basis for making an Anarchist of Miss Kelly. Shall "X" of Liberty retrieve "Honorius" of the "Irish World" by denouncing the Knights of Labor, or shall he get upon their platforms, win the hearts of poor children of toil and sorrow who are not gifted with so much brains as Miss Kelly and Brother Tucker through kindly words, emphasize the Anarchistic points where they will do the most good, and thus save more precious souls like theirs to Anarchism?

I never can forget the sublime response ascribed to Thomas Paine, whose rugged soul crowned the bombastic toast: "Where liberty is, there is my country!" by that grand aphorism: "Where liberty *is not*, there is my country!" So, in humble imitation of that great man, I say: Where Anarchism *is not*, there is my place. I hate this I-am-brainier-than-thou spirit. It would have told Christ to have stuck to the Pharisees. It would have told Socrates to have kept out of the slums. It tells me to keep out of the eight-hour meetings, off of the Knights of Labor platforms, and to turn my back upon Miss Kelly's poor ignorant countrymen because their methods are not up to the level of her and Brother Tucker's brains. I decline to do so, in the sight of human misery, and of ignorance which should be met with love and charity, rather than the haughty relentlessness of big heads of ice, stuck up on dyspeptic poles. I had rather my heart would warm the brain into inconsistency than that the brain should freeze the heart and make me a bigot.

Possibly Brother Tucker has yet to learn that compromise is a true scientific principle under Anarchism, and that in its proper sense it is logically enjoined upon the faithful. I have never found a final settlement of any problem yet, save that of my own ignorance: therefore do I rise for prayers, and ask Sister Kelly and Brother Tucker to keep me from going astray. X.

Plumb-Line or Cork-Screw, Which?

I have no wish to discuss the personality of the writer of the foregoing article; in fact, I am decidedly averse to doing so. But if he publicly disputes a position taken by me upon a question of ethics and policy, and so interweaves his personality therewith that I cannot escape its discussion except by that silence which he almost insists that I shall not persist in, there is no alternative for me. Compelling this discussion, the writer must take the responsibility of its results. The writer knows that it involves the saying of things to him unpleasant, harsh, and severe, the blame will rest with him for forcing me, his friend, to speak of him in public with that frankness of characterization which neither he nor I have ever hesitated to employ when addressing each other in private.

He champions the policy of compromise which I assail, and offers in defence thereof nothing except his personal career as a compromiser and its results. Therefore I am obliged to examine that personal career and those results, to see what they are and what they might have been. And in view of this necessary personality, I shall disregard the pseudonyms, "X" and "Honorius," and deal, in my direct, plumb-line fashion, with Henry Appleton.

Mr. Appleton's chief claim appears to be that by his expediency tactics in the "Irish World" he succeeded in making a great many Irish Anarchists. Against this assertion I put the counter-assertion that by his articles in Liberty, which have always—until very lately, at any rate—been of the uncompromising order, though addressing a constituency only one-fiftieth as large as the "Irish World's," he has helped to make at least twenty times as many Anarchists as were ever made by his "Honorius" letters. My assertion is as susceptible of proof as his, and if it be true, it is fair to presume that, if all the work of his life had been of a similarly uncompromising character, it would have had similarly important results.

And after all how many staunch Irish Anarchists, with a deep-rooted comprehension of Anarchism, did the "Honorius" letters ever make? I doubt if Mr. Appleton could name over half a dozen. But whether half a dozen or a dozen or more, how many of the number were made Anarchists by the expediency tactics rather than in spite of them? Not one, in my judgment. Certainly not Gertrude Kelly, or any person of her type. She was never wheedled or cajoled into an acceptance of Anarchy by the insinuating methods which Mr. Appleton describes so proudly. She became an Anarchist principally because she had brains in her head and was bound to become one in very short order. She very likely found the seed-thought in some of the many flat-footed Anarchistic sentences contained in the "Honorius" letters; but, if she had not found it there, she would have found it elsewhere, and, "Honorius" or no "Honorius," she would by this time have been in New Era Hall or somewhere else spreading the light thus acquired. Certainly her conversion cannot be placed to the credit of expediency. Nor can those of the few other brainy people to whom the "Honorius" letters gave a start and who have landed on solid Anarchistic ground.

It is undoubtedly true that these letters, by their author's great capacity for illustration, by his fund of anecdote, by his habit of connecting his thought with daily life, and by his faculty of concretely presenting abstract ideas, did greatly charm and captivate a multitude of readers; and it is not unlikely that over many of them any other than expediency tactics would have made it impossible to exercise this charm. But these people were simply charmed; they never got any adequate idea of the meaning of liberty from the letters and were incapable of getting any. Their mental calibre may be estimated by the fact of which Miss Kelly assures me that some of the most intelligent of

them, who were loud in their praise of the "Honorius" letters, as loudly denounced Mr. Appleton's unsigned editorials appearing at the same time in Liberty, supposing them to be written by me. Upon such minds as these plumb-line reasoning has no effect, and the only effect that cork-screw insinuation has upon them is to insert itself in the yielding fibre called their brains only to find, when the attempt is made to exercise the supposed grip, that the fibre simply tears away, and that the convert is no convert at all.

Again, in apportioning the credit for whatever Irish Anarchists have been made, it must not be forgotten that, at the time when the "Honorius" letters were appearing in the "Irish World," another Anarchist was doing some pretty tall writing for that paper,—a certain "Phillip," now known to readers of Liberty as "H," a man who is no compromiser, who abides by the plumb-line, and who nevertheless possesses, to a degree which only the most favored mortals attain, that warmth and abundance of heart and depth and breadth of human love which Mr. Appleton seems to think consistent with nothing save expediency and the cork-screw. True, he doesn't have so much to say about his heart and love as Mr. Appleton. The latter's praiseworthy hatred of Pharisaism clearly does not extend to the I-am-*heartier*-than-thou form of it, and in consequence of this limitation loses much of its force.

I am quite willing to admit that Patrick Ford would have kicked Mr. Appleton down the back stairs much sooner than he did, if it had not been for the expediency tactics. But I add that in such case Mr. Appleton, if he is the zealous missionary that he professes to be, would have expended the same amount of effort in a less compromising form of propagandism, with more benefit to the cause, though possibly with less profit to himself.

Mr. Appleton seems to be under the delusion that Miss Kelly and I object to his going to a Knights of Labor meeting and there emphasizing Anarchistic doctrines. Not at all! I, for one, only wish he would. It is because he goes to such meetings and does not emphasize Anarchistic doctrines, but on the contrary emphasizes Knights of Labor doctrines as superior to Anarchistic doctrines, that I condemn him. I find fault, not that he uses the Knights of Labor, but that the Knights of Labor use him. My complaint is that, when Mr. Appleton goes to Rome, he does as the Romans do. Does he call for proof of this assertion? I have it under my hand. In the foregoing article, writing as an Anarchist, he says that the eight-hour movement is no settlement of the labor question at all. At Faneuil Hall on Tuesday evening, March 30, he said that "the eight-hour movement is the most rational, most justifiable, most defensible, of all the methods conceived for the amelioration of the condition of the working men and women." I take it that Anarchism is a method conceived for the amelioration of the condition of the working men and women. And yet Mr. Appleton, an Anarchist, goes to Faneuil Hall and virtually admits its inferiority to eight hours. This may be an instance of the "true scientific principle of compromise" which I have not yet learned; I certainly do not recognize it by that title; when I have met it heretofore, it has borne the name "dishonesty." This is the sort of thing that I find sickening in Mr. Appleton, just as I used to find it sickening to read in his "Honorius" letters all kinds of pious phrases about God and the Almighty when I knew that his real views about God were just what he has so often expressed in these columns.

Were it not that an Anarchist can hold nothing sacred, I should pronounce rank blasphemy Mr. Appleton's citation of Thomas Paine in support of the policy of compromise; as it is, I pronounce it an outrage upon the memory of one of the most uncompromising men that ever lived. Thomas Paine said: "Where liberty is not, there is my country"; but, when he went where liberty is not, he did not go there to "affiliate with" slavery "all it would let him," or to "speak" for slavery upon slavery's platform, or to "write" for slavery, or to "work" for slavery, or to "love" slavery; he went there to smite slavery hip and thigh. When Mr. Appleton follows Thomas Paine's example, he and I will be at peace on this point.

Or, if he will rise to the level of Jesus and Socrates, I will be equally well satisfied, for both of them were "severely organized on the plumb-line principle." Mr. Appleton is indeed unfortunate in the types he selects. Socrates a compromiser! Jesus a compromiser! And, because he was a compromiser, he left the Pharisees! Why, I had fancied hitherto that it was Jesus's hatred of compromise, indirection, and hypocrisy that led him to separate himself from the Pharisees. If Mr. Appleton takes a similar view of the Anarchists, by all means let him do likewise. If he thinks that the Anarchists "shut up the kingdom of heaven against men, neither going in themselves nor suffering them that are entering to go in"; if he thinks they "devour widows' houses and for a pretence make long prayer"; if he thinks they "compass sea and land to make one proselyte, and when he is made, make him twofold more the child of hell than themselves"; if he thinks that they "pay tithe of mint, and anise, and cummin, and omit the weightier matters of the law"; if he thinks that they are "blind guides who strain at a gnat and swallow a camel"; if he thinks that they "make clean the outside of the cup and of the platter, but within are full of extortion and excess"; if he thinks that they are "like unto whited sepulchres, which indeed appear beautiful outward, but are within full of dead men's bones and of all uncleanness,"—if he thinks all these things of the Anarchists, as Jesus thought them of the Pharisees, then let him be a man, as Jesus was, and say so; let him leave them, as Jesus did, and no longer pretend to be one of them; and as he goes, let him leave these parting words ringing in their ears: "Ye serpents, ye generation of vipers, how can ye escape the damnation of hell?" Then he will be as uncompromising as Jesus. Jesus did not dodge about from Pharisee to publican and from publican back to Pharisee. He did not champion the one today and coquet with the other tomorrow. He took his stand definitely with the one and against the other, and there was never any doubt about his attitude.

If, on second thought, Mr. Appleton finds these standards selected by himself—Paine, Socrates, Jesus—too high for him, I will then simply ask him to rise once more to the standard which he set in his recent New Haven speech. He can read it in another column, as reported by Comrade Yarros. Perhaps "a little reflection" will suffice to once more "make it clear" to him "that all those who ignore 'first principles' and engage in 'practical' work—meaning by it temporary relief, compromise, etc.—are in reality wasting time and labor, and are engaged in a most ridiculous and fruitless work." That is near enough to the plumb-line to suit me.

Apart from the unpleasant task which it has imposed upon me, there is cause for rejoicing in the fact that Mr. Appleton has been forced into an apologetic attitude. Even if Miss Kelly's Boston lecture had done no other good, she might still find ample cause for self-congratulation in having so skilfully cut the coat of compromise that Mr. Appleton cannot help seeing that it fits him, has put it on, and is now trying as hard as he can to find some ground for feeling a pride in his garment. When she has further shown him, as I have no doubt she soon will in these columns, that this coat cannot be worn by upright human beings and only fits him because of his deformity, it is to be hoped that he will try equally hard to wriggle himself out of his cork-screw shape and become a plumb-line Anarchist.

T.

Max's Mirror.

Mr. Joseph Pulitzer, having drawn a salary from the government for services not rendered, in violation of law and common honesty, thinks to stop the mouth of the press by giving the money to a hospital for the benefit of newspaper men. He has got a great deal of advertising out of this little scheme of quack generosity, and that is what Mr. Pulitzer is always looking for. As a congressman Hon. J. Pulitzer is a quack. As a journalist, Editor J. Pulitzer is a greater quack, and he runs the biggest quack newspaper printed on the crust of this planet. The New York "World" is the ultimate expression of quackery in human affairs. It is the very flower of this age of humbug and charlatanism. I hope its figures of circulation—probably lying figures—indicate the high-water mark of mendacity, and that the flood of quackery that now submerges civilization may soon subside and leave some of the facts and veracities of human life and affairs bare to the gaze of men. I do not think Editor J. Pulitzer will copy this among the nauseating blobs of treacly bosh spewed upon his journalistic boots by the newspaper quacklets of the back districts.

PASSING GLIMPSES.

The red men "must give up their superstitions," says Gen. J. D. C. Atkins, commissioner of Indian affairs, in his annual report to the secretary of the interior. He means they must exchange their superstitions for the white man's and worship only government.—The Vanderbilt residence is armed with a Gatling gun. The Vanderbilts seem to understand their attitude toward mankind.—Mayor Powell of Newport strictly enforced Sunday law recently, and markets, etc., were closed for first time in half a century. Prayers before grub.—The "Republic" says: "Ireland never did, and never will, object to paying fair rents." Then she never will be free.—Boston "Globe": "As the United States is governed directly and wholly by the people, having no aristocracy save that of heart and no nobility but brains." Dambosh!—Seventeen hundred lawyers in Philadelphia. Hundreds of them, Judge says, don't earn fees enough to pay car fare. Must get living honestly, then.—French mine manager trampled to death by miners. Mere reversal of customary attitude.—Laws against polygamy in Utah strictly enforced. Municipal ordinance under which Federal officials arrested for lewdness declared not valid. Mormon monster must be throttled. Pitch into Mormons! Give 'em hell! They don't vote.—"My brother workingmen, the path of your progress does not lie in the direction of socialism, ably and truly as it may have formulated many of your reasonable complaints and your legitimate demands. The road whither this giant leads you is full of pitfalls of fatal fallacy and untruths, and is grim and fearsome with gorgon horrors and chimeras dire." Rev. Dr. Brown, sky pilot of Providence. Got the holy horrors again awfully.

MAX.

The editor of Liberty will lecture before the Equal Rights Debating Club of New Haven on Sunday, May 9, in the afternoon. Subject: "State Socialism and Anarchism,—how far they agree and wherein they differ."

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A LETTER TO GROVER CLEVELAND.

Continued from page 3.

among the several States," *solely on the strength of a false definition of the verb "to regulate."* He says that "the power to regulate commerce" is the power "*to prescribe the rule by which commerce is to be governed.*"

This definition is an utterly false, absurd, and atrocious one. It would give congress power arbitrarily to control, obstruct, impede, derange, prohibit, and destroy commerce.

The verb "to regulate" does not, as Marshall asserts, imply the exercise of any arbitrary control whatever over the thing regulated; nor any power "to prescribe [arbitrarily] the rule, by which" the thing regulated "is to be governed." On the contrary, it comes from the Latin word, *regula*, a rule; *and implies the pre-existence of a rule, to which the thing regulated is made to conform.*

To regulate one's diet, for example, is not, on the one hand, to starve one's self to emaciation, nor, on the other, to gorge one's self with all sorts of indigestible and hurtful substances, in disregard of the natural laws of health. But it supposes the pre-existence of the *natural laws of health*, to which the diet is made to conform.

A clock is not "regulated," when it is made to go, to stop, to go forwards, to go backwards, to go fast, to go slow, at the mere will or caprice of the person who may have it in hand. It is "regulated" only when it is made to conform to, to mark truly, the diurnal revolutions of the earth. These revolutions of the earth constitute the pre-existing rule, by which alone a clock can be regulated.

A mariner's compass is not "regulated," when the needle is made to move this way and that, at the will of an operator, without reference to the north pole. But it is regulated when it is freed from all disturbing influences, and suffered to point constantly to the north, as it is its nature to do.

A locomotive is not "regulated," when it is made to go, to stop, to go forwards, to go backwards, to go fast, to go slow, at the mere will and caprice of the engineer, and without regard to economy, utility, or safety. But it is regulated, when its motions are made to conform to a pre-existing rule, that is made up of economy, utility, and safety combined. What this rule is, in the case of a locomotive, may not be known with such scientific precision, as is the rule in the case of a clock, or a mariner's compass; but it may be approximated with sufficient accuracy for practical purposes.

The pre-existing rule, by which alone commerce can be "regulated," is a matter of science; and is already known, so far as the natural principle of justice, in relation to contracts, is known. The natural right of all men to make all contracts whatsoever, that are naturally and intrinsically just and lawful, furnishes the pre-existing rule, by which *alone* commerce can be regulated. And it is the only rule, to which congress have any constitutional power to make commerce conform.

When all commerce, that is intrinsically just and lawful, is secured and protected, and all commerce that is intrinsically unjust and unlawful, is prohibited, then commerce is regulated, and not before.*

This false definition of the verb "*to regulate*" has been used, time out of mind, by knavish lawmakers and their courts, to hide their violations of men's natural right to do their own businesses in all such ways—that are naturally and intrinsically just and lawful—as they may choose to do them in. These lawmakers and courts dare not always deny, utterly and plainly, men's right to do their own businesses in their own ways; but they will assume "*to regulate*" them; and in pretending simply "to regulate" them, they contrive "to regulate" men out of all their natural rights to do their own businesses in their own ways.

How much have we all heard (we who are old enough), within the last fifty years, of the power of congress, or of the States, "*to regulate the currency.*" And "to regulate the currency" has always meant to fix the kind, *and limit the amount*, of currency, that men may be permitted to buy and sell, lend and borrow, give and receive, in their dealings with each other. It has also meant to say *who shall have the control of the licensed money;* instead of making it mean the suppression only of false and dishonest money, and then leaving all men free to exercise their natural right of buying and selling, borrowing and lending, giving and receiving, all such, and so much, honest and true money, or currency, as the parties to any or all contracts may mutually agree upon.

Marshall's false *assumptions* are numerous and tyrannical. They all have the same end in view as his false definitions; that is, to establish the principle that governments have all power, and the people no rights. They are so numerous that it would be tedious, if not impossible, to describe them all separately. Many, or most, of them are embraced in the following, *viz.:*

1. The assumption that, by a certain paper, called the constitution of the United States—a paper (I repeat and reiterate) which nobody ever signed, which but few persons ever read, and which the great body of the people never saw—and also by some forty subsidiary papers, called State constitutions, which also nobody ever signed, which but few persons ever read, and which the great body of the people never saw—all making a perfect system of the merest nothingness—the assumption, I say, that, by these papers, the people have all consented to the abolition of justice itself, the highest moral law of the Universe; and that all their own natural, inherent, inalienable rights to the benefits of that law, shall be annulled; and that they themselves, and everything that is theirs, shall be given over into the irresponsible custody of some forty little cabals of blockheads and villains called lawmakers—blockheads, who imagine themselves wiser than justice itself, and villains, who care nothing for either wisdom or justice, but only for the gratification of their own avarice and ambitions; and that these cabals shall be invested with the right to dispose of the property, liberty, and lives of all the rest of the people, at their pleasure or discretion; or, as Marshall says, "their wisdom and discretion!"

If such an assumption as that does not embrace nearly, or quite, all the other false assumptions that usurpers and tyrants can ever need, to justify themselves in robbing, enslaving, and murdering all the rest of mankind, it is less comprehensive than it appears to me to be.

2. In the following paragraph may be found another batch of Marshall's false assumptions.

> The right to contract is the attribute of a free agent, and he may rightfully coerce performance from another free agent, who violates his faith. Contracts have consequently an intrinsic obligation. [*But*] *When men come into society, they can no longer exercise this original natural right of coercion. It would be incompatible with general peace, and is therefore surrendered.* Society prohibits the use of private individual coercion, *and gives in its place a more safe and more certain remedy.* But the right to contract is not surrendered with the right to coerce performance.—*Ogden vs. Saunders*, 12 *Wheaton* 350.

In this extract, taken in connection with the rest of his opinion in the same case, Marshall convicts himself of the grossest falsehood. He acknowledges that men have a natural right to make their own contracts; that their contracts have an "intrinsic obligation"; and that they have an "original and natural right" to coerce performance of them. And yet he assumes, and virtually asserts, that men *voluntarily "come into society,"* and "*surrender*" to "society" their natural right to coerce the fulfilment of their contracts. He assumes, and virtually asserts, that they do this, *upon the ground, and for the reason, that "society gives in its place a more safe and more certain remedy";* that is, "a more safe and more certain" enforcement of all men's contracts that have "an intrinsic obligation."

In this saying that "men come into society," and "surrender" to society, their "original and natural right" of coercing the fulfilment of contracts, and that "*society gives in its place a more safe and certain remedy,*" he virtually says, and means to say, that, *in consideration of such "surrender" of their "original and natural right of coercion," "society" pledges itself to them that it will give them this "more safe and more certain remedy":* that is, that it will more safely and more certainly enforce their contracts than they can do it themselves.

And yet, in the same opinion—only two and three pages preceding this extract—he declares emphatically that "the right" of government—or of what he calls "society"—"*to prohibit such contracts as may be deemed mischievous,* is *unquestionable.*"—*p.* 347.

And as an illustration of the exercise of this right of "society" to prohibit such contracts "as may be deemed mischievous," he cites the usury laws, thus:

> The acts against usury declare the contract to be void in the beginning. They deny that the instrument ever became a contract. They deny it all original obligation; and cannot impair that which never came into existence.—*p.* 348.

All this is as much as to say that, when a man has voluntarily "come into society," and has "surrendered" to society "his original and natural right of coercing" the fulfilment of his contracts, and when he has done this in the confidence that society will fulfil its pledge to "give him a more safe and more certain coercion" than he was capable of himself, "society" may then turn around to him, and say:

> We acknowledge that you have a natural right to make your own contracts. We acknowledge that your contracts have "an intrinsic obligation." We acknowledge that you had "an original and natural right" to coerce the fulfilment of them. We acknowledge that it was solely in consideration of our pledge to you, that we would give you a more safe and more certain coercion than you were capable of yourself, that you "surrendered" to us your right to coerce a fulfilment of them. And we acknowledge that, *according to our pledge*, you have now a right to require of us that we coerce a fulfilment of them. But after you had "surrendered" to us your own right of coercion, we took a different view of the pledge we had given you; and concluded that it would be "mischievous" to allow you to make such contracts. We therefore "prohibited" your making them. And having prohibited the making of them, we cannot now admit that they have any "obligation." We must therefore decline to enforce the fulfilment of them. And we warn you that, if you attempt to enforce them, by virtue of your own "original and natural right of coercion," we shall be obliged to consider your act a breach of "the general peace," and punish you accordingly. We are sorry that you have lost your property, but "society" must judge as to what contracts are, and what are not, "mischievous." We can therefore give you no redress. Nor can we suffer you to enforce your own rights, or redress your own wrongs.

Such is Marshall's theory of the way in which "society" got possession of all men's "original and natural right" to make their own contracts, and enforce the fulfilment of them; and of the way in which "society" now justifies itself in prohibiting all contracts, though "intrinsically obligatory," which it may choose to consider "mischievous." And he asserts that, in this way, "society" has acquired "*an unquestionable right*" to cheat men out of all their "original and natural right" to make their own contracts, and enforce the fulfilment of them.

A man's "original and natural right" to make all contracts that are "intrinsically obligatory," and to coerce the fulfilment of them, is one of the most valuable and indispensable of all human possessions. But Marshall assumes that a man may "surrender" this right to "society," under a pledge from "society," that it will secure to him "a more safe and certain" fulfilment of his contracts, than he is capable of himself; and that "society," having thus obtained from him this "surrender," may then turn around to him, and not only refuse to fulfil its pledge to him, but may also prohibit his own exercise of his own "original and natural right," which he has "surrendered" to "society!"

This is as much as to say that, if A can but induce B to intrust his (B's) property with him (A), for safekeeping, under a pledge that he (A) will keep it more safely and certainly than B can do it himself, *A thereby acquires an "unquestionable right" to keep the property forever, and let B whistle for it!*

This is the kind of assumption on which Marshall based all his ideas of the constitutional law of this country; that *constitutional* law, which he was so famous for expounding. It is the kind of assumption, by which he expounded the people out of all their "original and natural rights."

He had just as much right to assume, and practically did assume, that the people had voluntarily "come into society," and had voluntarily "surrendered" to their governments *all their other natural rights*, as well as their "original and natural right" to make and enforce their own contracts.

He virtually said to all the people of this country:

> You have voluntarily "come into society," and have voluntarily "surrendered" to your governments all your natural rights, of every name and nature whatsoever, *for safe keeping;* and now that these governments have, *by your own consent*, got possession of all your natural rights, they have an "*unquestionable right*" to withhold them from you forever.

If it were not melancholy to see mankind thus cheated, robbed, enslaved, and murdered, on the authority of such naked impostures as these, it would be, to the last degree, ludicrous, to see a man like Marshall—reputed to be one of the first intellects the country has ever had—solemnly expounding the "constitutional powers," as he called them, by which the general and State governments were authorized to rob the people of all their natural rights as human beings.

And yet this same Marshall has done more than any other one man—certainly more than any other man within the last eighty-five years—to make our governments, State and national, what they are. He has, for more than sixty years, been esteemed an oracle, not only by his associates and successors on the bench of the Supreme Court of the United States, but by all the other judges, State and national, by all the ignorant, as well as knavish, lawmakers in the country, and by all the sixty to a hundred thousand lawyers, upon whom the people have been, and are, obliged to depend for the security of their rights.

This system of false definitions, false assumptions, and fraud and usurpation generally, runs through all the operations of our governments, State and national. There is nothing genuine, nothing real, nothing true, nothing honest, to be found in any of them. They all proceed upon the principle, that governments have all power, and the people no rights.

* The above extracts are from a pamphlet published by me in 1864, entitled "*Considerations for Lawkers,*" etc., pp. 56, 56, 57.

WHAT'S TO BE DONE?

A ROMANCE.

By N. G. TCHERNYCHEWSKY.

Translated by Benj. R. Tucker.

Continued from No. 78.

XXIII.

They live gayly and as friends, working and resting, enjoying life and looking forward to the future, if not without anxiety, at least with the firm assurance that

the farther we advance in life, the better it becomes. Thus they have spent the last two years. Towards the end of last winter Véra Pavlovna said to herself: "Will there be another cold day, so that we can have at least one more sleighing-party?" No one could answer her question; but the days went by one after another, and the thaw continued, and every day the chances for a sleighing-party diminished. But it came after they had lost all hope. There was a heavy fall of snow, followed, not by a thaw, but by slightly freezing weather; the sky was clear, and the evening could not have been more beautiful. "The sleighing-party! The sleighing-party!" In their haste they had not time to get many people together, —a small party collected without formal invitations.*

That night two sledges started. In one they chattered and joked, in the other all the proprieties were disregarded. Scarcely were they out of the city before they began to sing at the tops of their voices. What?

Elle sortait la belle
(The fair one went out)
De la porte cochère neuve,
(Of the new carriage gate)
De la neuve porte cochère en bois d'érable,
(Of the new carriage gate of maple wood)
De la porte cochère à carreaux.
(Of the tiled carriage gate)
Mon père est bien sévère;
(My father is very severe)
Il m'est défavorable;
(He is disinclined to favor me)
Il ne veut pas que je me promène trop tard
(He does not want me to be out too late)
Et que je joue avec les jeunes hommes.
(And to play with the young men)
Mais je n'écoute pas mon père;
(But I do not listen to my father)
Je veux satisfaire mon bien aimé . . . .
(I wish to please my beloved)

A song! But is that all? Now this sledge goes slowly and lags nearly a quarter of a mile in the rear; suddenly it glides rapidly ahead, its occupants give warlike shouts, and when they approach the well-behaved party, the snowballs fly furiously. The members of the well-behaved party, after two or three attacks of this sort, decide to defend themselves and lay in a stock of ammunition, but it is done so adroitly as to escape the notice of the noisy party. Now the noisy party goes slowly again, lagging behind, and the well-behaved party continues cunningly on its way. The noisy party again starts off at full speed, the warlike shouts begin once more, the members of the well-behaved party are prepared to make unexpected and vigorous resistance, but what? the noisy party turns to the right across the brook, and passes like a flash at a distance of a dozen yards.

"She saw us and has taken the reins herself," say some in the well-behaved party.

"Oh, no! oh, no! we will catch them! we will avenge ourselves!"

An infernal gallop. Will they catch them?

"We will catch them!"

No!

"We will catch them!" with fresh impetuosity.

"They will catch us!"

"They shall not catch us!"

Yes!

No!

In the well-behaved party were the Kirsanoffs and the Beaumonts; in the noisy party four young people and a lady, and the latter was the cause of all the mad conduct of the noisy party.

"Good evening, ladies and gentlemen, we are very glad to see you again," said she, from the top of the factory steps: "gentlemen, help the ladies out of the sledge," she added, addressing her companions.

Quickly, quickly, into the rooms! All of them were red with cold.

"Good evening, old gentleman. But he is not old at all! Katérina Vassilievna, why did you slander him by telling me that he was old? He will be courting me yet. You will court me, dear old man?" said the lady of the noisy party.

"Yes, I will court you," said Polosoff, already charmed by her affable caresses of his gray whiskers.

"Children, will you permit him to court me?"

"We permit him," said one of the young people.

"No, no," said the three others.

But why was the lady of the noisy party in black? For mourning or out of caprice?

"But, after all, I am tired," said she, throwing herself upon a divan, in a corner of the reception room. "Children, some cushions! but not for me alone; the other ladies also are tired."

"Yes, you have harassed us," said Katérina Vassilievna.

"How this unbridled race in the ruts has tired me!" said Véra Pavlovna.

"Fortunately we had but a little over half a mile to go," said Katérina Vassilievna.

Unable to stand any longer, they fell on the divan stuffed with cushions.

"How unskilled you are! You should have risen up as I did, and then the ruts would not have tired you."

"We are tired ourselves," said Kirsanoff, speaking for himself and Beaumont. They sat down beside their wives. Kirsanoff embraced Véra Pavlovna; Beaumont took the hand of Katérina Vassilievna. An idyllic picture. It is pleasant to see happy unions. But over the face of the lady in black a sudden shadow passed, which no one noticed except one of her companions; he withdrew to the window and began to examine the arabesques which the frost had traced upon the panes.

"Ladies, your histories are very interesting, but I do not know them exactly; I only know that they are touching and pleasant and end happily; that is what I like. But where is the old gentleman?"

"He is busy about the house, getting us something to eat; he is fond of that sort of thing," said Katérina Vassilievna.

"Well, let him go on. Relate your histories, then, but let them be brief: I like short stories."

"I will be very brief," said Véra Pavlovna. "I begin: when the others' turns come, they will be brief also. But I warn you that at the end of my story there are secrets."

"Well, then we will drive these gentlemen away. Or, would it not be better to drive them away now?"

"Why? Now they may listen."

Véra Pavlovna began her story.

. . . . . .

"Ha, ha, ha! That dear Julie! I like her very much. And she throws herself upon her knees, says insulting things, and behaves most improperly, the dear Julie!"

. . . . . .

"Bravo, Véra Pavlovna! 'I will throw myself out of the window!' Bravo, gentlemen!" The lady in black began to applaud. At this command the young people imitated her in a deafening manner and cried "Bravo!" and "Hurrah!"

. . . . . .

"What's the matter with you? What's the matter with you?" cried Katérina Vassilievna, in fright, two or three minutes later.

"Nothing, it's nothing: give me some water, do not be troubled."

Mossoloff is already bringing some.

"Thank you, Mossoloff."

She takes the glass, brought by the young companion who had withdrawn to the window.

"See how I have taught him! He knows everything in advance. Now it has entirely passed. Keep on, I pray you, I am listening."

"No, I am fatigued," said she, five minutes later, rising calmly from the divan. I must rest,—sleep an hour or an hour and a half. See, I am going away without ceremony. Go and find the old gentleman, Mossoloff; let him prepare everything."

"Permit me, why should I not attend to it?" said Katérina Vassilievna.

"Is it worth while to trouble yourself?"

"You abandon us?" said a young man, assuming a tragic posture; "if we had foreseen that, we would have brought some daggers with us. Now we have nothing with which to stab ourselves."

"They will bring something to eat, and then we can stab ourselves with the forks!" said another, in a tone of exaltation.

"Oh, no, I do not wish the hope of the country to be cut off in its flower," said the lady in black, with like solemnity: "console yourselves, my children. Mossoloff, a cushion on the table!"

Mossoloff placed a cushion on the table. The lady in black assumed a majestic pose near the table and let her hand slowly fall upon the cushion.

The young people kissed her hand, and Katérina Vassilievna escorted the tired visitor to the bed.

"Poor woman!" said with one voice the three persons of the well-behaved party after they had gone out of the room.

To be continued.

*The few pages which follow, in conclusion of this story, the translator does not pretend to understand. He cannot identify the new characters introduced or connect them with the story, nor can he fathom the purpose of their introduction. Whether they conceal some moral so revolutionary that the author from his prison cell did not dare avow it more openly, or whether the mystery is a device on his part to carry over the interest of the reader to the sequel which he undoubtedly intended to write, or whether the true explanation is something different from either of these, the reader must determine for himself.—*Translator.*

"Philanthropic Ladies Providing Vacations for Hard-Working Young Women."

The above heading appeared in the New York "Herald" in August, 1884. It shows the depth of mental and moral depravity in which we exist, when such an announcement may appear in a leading paper in a leading city without exciting a single comment.

A "lady" is a person who does nothing for her living; who produces nothing; who would be most highly insulted, if any one dared to suggest that she had ever been engaged in any useful labor, that she had at any time contributed in the least to her own support; and yet she is enabled by this wondrous system under which we live to give a vacation to a "hard-working young woman."

How long are the hard-working young women and the hard-working young men going to stand this state of things? Is it not enough to be robbed of the fruits of one's labor, without then having to submit to be patronized, without having insult added to injury?

I wonder if Mr. Spencer does not see any "slavery," not "coming," but here, in the long vacations with high salaries that the men and women are forced to give the ladies and gentlemen.

The good work of the ladies still goes on, as we learn from the "Herald" of March 9 that the second annual meeting of the Association of Working Girls' Societies was to be held on that evening; that eight hundred representatives from the societies of New York, Brooklyn, and Hoboken were to be present; that the hall was to be divided by bright-colored ribbons, each club having its own color; a knot of the color was to be worn by each member, so that it may be told at a glance to what society a group of girls belongs. The galleries were to be filled with ladies interested in the association, who, I suppose, would both literally and figuratively "look down" upon the girls.

In what age of the world are we living when girls are marked like cattle at a fair? Would it not be an excellent idea to ticket the ladies in such a manner that those who support them could "tell at a glance" how many men had been ground to death, how many women had been ruined, how many children's lives lost, that they should exist, the elegant things that they are today? I would suggest to the labor-unions that this would be the most effective union-label that was ever gotten out; it would be a union-label that would give a very valuable lesson, that would assist greatly in opening men's eyes to the truth.

What a debt we owe to the philanthropic ladies! The most prominent philanthropic lady in Hoboken belongs to the great robber-family of that city. Hoboken is, or was, a land of salt meadows. Much of this land (under water) was bought by thrifty workingmen at the time when wages were fair and work pretty steady. These men and their wives worked, after the ordinary day's work was over, at collecting materials necessary to fill in the lots, and in trying to erect little houses in which they expected to spend their old age. In order to complete the houses, it was in many cases necessary to mortgage the property, and during the panic of '73 the mortgages were foreclosed, and the Hoboken Land Improvement Company (which practically is one family) raked in, in a few months, the earnings of many men for many years. And now the daughters of these men whose homes were stolen are ribboned by the lady of the manor, so that it can be told at a glance to whom they belong.

The most philanthropic lady in New York also belongs to a most distinguished family. One member resigned the presidency of a railroad company because trains were run on Sunday, but he did not cease, nevertheless, to draw dividends on his stock. The men employed as track-layers, etc., on this road received at that time *ninety cents* a day. It is quite easy with the rest of the proceeds of their labor for the ladies of this most noble family to engage in charitable work.

Another most excellent work engaged in by these philanthropic ladies is furnishing work to needy women at less than the market rates, and then helping them to eke out their existence by charitable donations. The effect of this is to lower the wages in that branch of trade, thus forcing the other women to also accept charity, make up the amount necessary to support existence by means of vice, or to leave that trade and enter some other, thus tending to bring down the wages in that other also by increased competition. How beautifully philanthropy works!

What has become of the pride of the American working-girl? Where are the independent girls who once worked in the New England mills, and recognized no one as superior to them? Mr. Evarts ought to be satisfied: we are coming down to the level, aye, below the level, of our "class in Europe."

GERTRUDE B. KELLY.

The Right Man in the Right Place.

To the Editor of Liberty:

The Knights of Labor have grown very powerful of late in New Haven. Their unusual activity in the line of agitation and propaganda, and the several engagements which they have had with some establishments and institutions, have attracted public attention and made subjects for general discussion. Some enthusiastically praise the order, glory in its triumphs, and see nothing but good in it, while others take an exactly opposite view, and look upon it as a conspiracy of ignorant, selfish, and worthless idlers against all honest and deserving people. The sober and impartial looker-on does not share either of these extreme opinions. There is certainly much to be encouraged and approved of in this growing organization, but there is much room for improvement, much to be severely criticised and rebuked. The Equal Rights Debating Club of New Haven long felt the necessity of giving this subject a good airing. But as this is a rather delicate subject to handle, some difficulty was experienced in finding a speaker. Here was needed a man who had strong convictions and the courage of his convictions; who would dare to speak the unpopular truth and attack lies, wrongs, and fallacies wherever they are found. The name of Henry Appleton naturally suggested itself, and the Club, choosing him, chose the right man for the right place. Nor could he have shown his power to a better advantage.

It was advertised in all the local newspapers that the famous "Honorius" of the "Irish World" would lecture before the Club on labor organization generally and the Knights of Labor in particular. The large audience which greeted Mr. Appleton was made up of Yale students, business men, and mechanics. His speech lasted two hours, and it was decidedly the best ever made in New Haven. The audience fully appreciated it. Professor Sumner, who was a very attentive listener, had a very interesting little debate with Mr. Appleton on the question of rent and interest.

The following is the substance of Mr. Appleton's remarks:

"The greatest calamity that can happen to our struggling toilers, the greatest danger threatening labor organization, is that they will ignore the real sources of evil, and leave the cause of all misery and suffering untouched, while starting off in a wrong direction to wage war against comparatively insignificant and imaginary enemies. They can only make things worse, produce universal chaos and civil war. The grievances and sufferings of the robbed and enslaved drive them into unions and organizations of every possible kind. But what good can come of it, when all these labor organizations have no guiding principle, no scientifically demonstrated sociological truths as to what the relations of man to man ought to be, what justice demands, or what are the imperative conditions of true social order and economic freedom? A little reflection is sufficient to make it clear that all those who ignore 'first principles' and engage in 'practical' work—meaning by it temporary relief, compromise, etc.—are in reality wasting time and labor, and are engaged in a most ridiculous and fruitless work. If the pest and disease-breeding source is not found out and destroyed, how can you expect recovery? Labor must know in the first place what it wants; knowing this, it must investigate why it has not what rightfully belongs to it, and who or what deprives it of these natural rights. Only then are we able to direct our course intelligently and work out our salvation on the line of least resistance.

"The industrious and honest producers are robbed of the fruits of their labor. Now who is the robber? I answer: the State! The three pillars of this despotic State, the devil's trinity, are the monopoly of land, the monopoly of money, and the monopoly of the means of exchange. Remove the State, and you are free to produce, consume, and exchange in any way you deem advantageous and wise. Given the right of the individual to occupy, use, and cultivate a piece of land; given his right to make his own money, make his own contracts, and settle his own prices; given perfect freedom of trade and interchange,—would not the fruits of our labor be secured to us? The State is a conspiracy of cunning schemers to enslave the people and live on the fruits of their toil. Legislation is its instrumentality; it grants rights and privileges to the few at the expense of the many, it fosters monopolies and kills competition by protective taxes, and, finally, it defends the rich criminals and protects them in their 'rights.' The ballot is a cunning device of the conspirators, by which the slaves are made to tighten their own chains. But when the radical reformer raises his voice, he is voted down as a theorist, dreamer, crank. The 'intelligent American mechanic' is practical, and sneers at philosophy and socialistic dreams.

"Well, let us see what the intelligent American mechanic, who was at last reached and swept in by that tidal wave of labor organization, proposes to do. He is thoroughly respectable, pure, conservative, and sober-minded. He will never be converted to Anarchism, Communism, Socialism, and other 'un-American' ideas. He will go to work in a business-like, practical manner. What is he after? *A fair day's wages for a fair day's work.* Is it not beautiful? What a fair and practical demand! No nonsense about it, no dreams; all he wants is justice. But, my friend, what is a fair day's wages, and what is a fair day's work? My intelligent American mechanic is dumb. Here a more intelligent American mechanic comes to his side. Why, triumphantly says he, we want all we produce. Is not that simple and clear? All we produce. But, my good man, if you work for an employer, how can you tell how much of what you produce belongs to you? Where is your industrial arithmetic by which you can figure out what would be your just share? My intelligent mechanics grow impatient, and excitedly swear that they are going to take all they can get. And when they are 'organized,' they can get all they want. Why, continue my practical friends, can't you see it? We have to fight the capitalists with their own weapon. They are organized and are determined to crush organized labor. Think of a free American citizen (here they grow eloquent) being discharged and blacklisted for belonging to the Knights of Labor or other union! But we shall put a stop to this infamous tyranny. We shall soon show our strength. In many places we are even now strong enough to dictate terms to the capitalist. We do not allow the rats and scabs to come in and work with us. Everybody must be a Knight of Labor, or he is 'fired out' and boycotted!

"What a triumph for liberty and fair play! What moral and mental ability the intelligent American mechanic has shown! Ah! I had hoped for better things from the intelligent American mechanic. Think of this conservative, respectable, and practical fellow, who but a while ago turned a deaf ear to the radical reformer and would not listen to his *extreme* views, who wanted only a fair day's wages for a fair day's work, so passionately preaching the gospel of brutality and hate! No measure is too tyrannical for him; he will do anything to crush the capitalists, the 'rats,' and the 'scabs.'

"How can and will this end? Open war will finally break out, riot, confusion, and bloodshed.

"No, this is not a reform movement. The world will never be saved by force, hate, and despotism. Labor must organize for peaceful self-help and cooperation, not for war. Cease to support the State, send the law-makers about their own business, and down goes monopoly. Instead of fighting the capitalists and the scabs, who have as good a right to strike for their rights and liberties as you, refuse to serve your masters, and declare yourselves free. Then you will achieve economic liberty."

Professor Sumner, by request, replied to Mr. Appleton. He spoke with unusual earnestness and animation. He said he was fully in accord with the general ideas and arguments of Mr. Appleton, but that he failed to understand why that gentleman, who stands for freedom of contract, should denounce rent and interest as unjust and criminal. Mr. Appleton then explained that the idea never entered his head to prohibit or regulate interest by legislation, that he has nothing to say against rent or interest chargers, but that under proper social conditions usury cannot exist, for interest is not in nature. Professor Sumner protested. He said that interest *is in nature*. We do everything for gain, increase, profit, reward. There could be no life on this planet, no increase of population, if the soil would not reward our labor with increase. This is true, replied Mr. Appleton, but the professor confounds *increase* with *interest*. It is labor that is rewarded, not capital. The Almighty blesses the toil of His children, and the professor blasphemously asks a part of this blessing for idle capital. He then referred the professor to Edward Kellogg's book.

I could write more, but my letter is too long already. I would like to have such meetings and debates everywhere. Agitate, educate the people, and rational organization will naturally follow. *Spread the light!* V. YARROS.

Mormon and Caesar.

Cæsar's spirit still stalks the earth. Having scaled Olympus and brought the gods into unity, its imperial claims will not relax for man. Driven from the Church, it sought refuge in the State; the power ecclesiasticism lost, politics gained. Progress for centuries has been toward greater freedom. In America, legislation is tending toward greater restriction. Fifty years ago present legislative schemes would have been impossible. "The American Idea" of that day was—"The best government is that which governs least"; hence men looked with jealousy on encroachments on individual rights. Why this eddy in the stream of progress; this rejuvenance of Cæsar's ghost urging centralization and reliance on might?

The answer is plainly to be seen. The spirit of Cæsar, rendered powerless in religious systems, castrated of divine right in forms of political government, is entrenching itself in the economic system of the age. British and German empires, Spanish and Italian kingdoms, French and American republics, are but dead *forms;* the animating soul in each is the same. A common (economic) feeling has made them all akin. Statecraft exists for the furtherance of economic interests; *forms* of government are recognized as of secondary importance to "vested interests." Harrington's apothegm: "Empire follows the balance of property," is no longer disputable.

With the opening of the Slavery discussion between North and South came the inevitable conflict. The North, as representative of our transitional economic *régime*, demanded room. In the way of the extension of *cheap* labor stood the dear labor of slavery. The non-extension of slavery into the territories was not a sentimental issue, but an economic one. In the name of *freedom* the construction of the constitution was twisted into the furtherance of *power*. Our fathers ate sour grapes, and we wonder that our teeth are set on edge. The anti-slavery sentiment gave the government power to secure ideal freedom. The North, true to the ideal, rushed to the front and established, with the non-extension and final extinction of slavery, the extension and permanence of—*cheap labor!* And for this we display our wounds!

The precedents thus formed, the forced grafts on the constitution (logically necessary), and the exigencies of our alleged commercial competition form the justification of the Edmunds bill. Republican rule has shaped our history; Democracy can but administer on the legacy bequeathed. The whole Mormon system, social, religious, industrial, is essentially based on cooperation. Necessarily in the eyes of monopoly-restricted competition this is a foe. The old cry for *freedom* through increase of *power*—the anti-slavery justification—cannot well be urged again; hence the moral standard is unfurled. Monogamy (with its "twin-relic," Prostitution) is no more a question in the minds of the worshippers at the shrine of the commonplace than Catholicism was a few centuries ago. No man doubted the right to use force to insure Catholic unity, unless his mind was tainted with heretical doctrines. So no man can today assert that monogamy is but an article of belief, a private *credo*, but lo! he is a defender of polygamy or promiscuity.

But let us not waste words on polygamy. *That is not the issue!* That is but the gaudily-colored bait to catch the inexperienced denizens of economic waters. The issue is again an economic one—the extension of cheap labor—the necessities of legalized privilege—the cent. per cent. freedom of commercial intercourse, confronted in Utah by an antagonistic system of social and commercial activity.

The writer served three years to establish centralization of power at Washington, and the extension of free trade in labor at the South, under the glamor of the cry of freedom. Other fools stand ready to obey the behests of Cæsar's spirit, if need be, to again make the Republic the pathway to an Empire, their alleged minds lit by the *ignis fatuus* of *social* morality. The Mormon protest is one of deep significance, out of which, I hold, will yet arise the struggle for freedom. The Eastern demand is that of Cæsar. The Mormon is an unconscious ally in—shall it be—a Lost Cause?

DYER D. LUM.

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